

PUBLIC CHAPTER NO. 391

HOUSE BILL NO. 301

By Representatives Overbey, McCord, Williams, Mumpower

Substituted for: Senate Bill No. 309

By Senator Raymond Finney

AN ACT to amend Tennessee Code Annotated, Title 63 and Title 68, relative to patient medical records.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, Part 3, is amended by adding the following as a new section:

68-11-312.

(a) It is the public policy of the state of Tennessee to promote effective communications between health care providers while rendering care to their patients.

(b) There is no implied covenant of confidentiality or other restriction that precludes (1) health care providers from communicating with each other in the course of providing care and treatment to a patient, or (2) a health care provider from responding to a request from a hospital regarding entries in the patient's records of the requesting hospital made or reviewed by that health care provider during the course of providing care and treatment to the patient in the hospital; provided, however, that any information received from a health care provider that corrects or modifies a patient's hospital record shall be made a part of the patient's hospital record with a notation as to the date the information was supplied and the name(s) of the person(s) supplying the information.

(c) This section shall not be construed to authorize any disclosure of information that would be prohibited pursuant to the federal Health Insurance and Portability and Accountability Act of 1996, Public Law 104-191, as amended.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.

PASSED: May 31, 2007



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 11th day of June 2007



PHIL BREDESEN, GOVERNOR